

**EX PARTE OR LATE FILED**

Commission's Secretary, Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington D.C. 20554

Received & Inspected

JAN 26 2015

FCC Mail Room

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Dear Federal Communications Commission Member:

**SECOND FURTHER NOTICE OF PROPOSED RULEMAKING IN THE  
INMATE CALLING SERVICE PROCEEDING, WC DOCKET NO. 12-375**

The San Diego County Sheriff's Department opposes the Second Further Notice of Proposed Rulemaking on Inmate Calling Services. This ruling would prohibit sheriffs' departments from receiving commissions or payments for contracted jail telephone services even though the money from these payments directly benefits inmates through the Inmate Welfare Fund.

Current California law requires each county to establish an Inmate Welfare Fund and requires that "any money, refund, rebate, or commission...attributable to the use of pay telephones...by inmates" be deposited into the fund. (California Penal Code Section 4025) The monies generated from these phone calls and deposited into the Inmate Welfare Fund (IWF) must be used for the welfare and benefit of the inmates.

In San Diego the Inmate Welfare Fund is critical to the rehabilitation of inmates and, thus, the public safety of the residents of our county.

Specifically, the funds deposited into IWF pay for reentry services, general education, substance abuse intervention, vocational programming and cognitive behavioral therapy. The inmate welfare fund also purchases inmate supplies such as books, pencils, workshop tools and it addresses the needs of indigent inmates by providing hygiene items, correspondence materials and public transportation costs upon release.

I emphasize, our existing contract to provide telephone services was negotiated in good faith and provides the lowest possible rates and includes collect, debit and prepaid options for local, intralata, interlata and interstate calls. The use of the debit calling option provides the lowest rate structure for the inmates and their families.

Inmate phone calls cost: \$0.60 for the first minute, and \$0.25 per minute thereafter. Using the FCC example of a 15-minute call, this call costs \$4.10 with debit calling. This rate applies to local, intralata, interlata and interstate calling. For a local Collect or Prepaid 15 minute call, the cost is \$4.85 and \$4.60. In addition, inmates in the San Diego County Sheriff's Department jails receive three free phone calls when they are initially booked.

Because of Criminal Justice Realignment and its shift of felons to county jails, reentry and

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rehabilitation have never been more important. To cut this source of revenue would do serious harm to our efforts to return convicted felons to the community with lower risks of recidivism. Respectfully, to cut this source of revenue, as the Rulemaking proposes, would have a direct and negative impact on public safety.

For this reason, I must oppose this measure. Should you have any questions, please do not hesitate to contact me directly at (858) 974-2240, or my legislative advisor, Marla B Marshall, at (858) 974-2270.

Sincerely,

A handwritten signature in cursive script, appearing to read "William D. Gore".

WILLIAM D. GORE, SHERIFF